City of Lafayette
Special Meetings of the
Lafayette City Council
Senior Services Commission
Senior Needs Assessment Task Force

MINUTES

Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

July 13, 2009
6:30 p.m.

1. CALL TO ORDER

Mayor Tatzin called the Special City Council meeting to order at 6:30 p.m.

2. ROLL CALL

Present: City Council: Mayor Tatzin, Vice Mayor Andersson, Councilmembers Anderson, Anduri and Federighi

Absent: None

Senior Services Commission: Ruth McCahan, Chairperson; Commissioners Mary Fuchs, Suzanne Jones, Dr. Robert Nolan; Sandra Smith and Steven Swantner

Absent: Judy Carney, Susan Hahn and Warren Heffelfinger

Present: Senior Needs Assessment Task Force: Marechal Duncan, Lois Laine

Absent: Dick Holt and MaryAnn Winig

Staff: Steven Falk, City Manager; Ann Merideth, Community Development Director; Mala Subramanian, City Attorney; Mei Sun Li, Senior Center Coordinator; Joanne Robbins, City Clerk

3. ADOPTION OF AGENDA

ACTION: It was M/S/C (Federighi/Andersson) to adopt the agenda. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

4. PUBLIC COMMENT - None

5. PRESENTATION

A. Senior Services Commission Goals and Accomplishments
Recommendation: Receive and file.

Ruth McCahan, Chair, Senior Services Commission, introduced Commission members present at the meeting, reviewed the following accomplishments of 2008/09:

Center Staffing – The Center is now open and fully staffed Monday through Friday, 9AM to 3PM, and all telephone calls are returned within 24 hours or one business day.

Membership Fees – As of July 1st, they have a membership enrollment system in place and there is a $10/year fee, they have a two-tier event pricing system in place for members/non-members.

Data Collection System – Membership is tracked on the Parks and Recreation Department's computer program. Two Commission members created and completed a data collection system which tracks attendees at events and funds collected for each event, which dates back to 2008, reflecting increases and percentages. They learned they have an average of 600 attendees per quarter which does not include referrals or those who contact the Center for information.

New Programs - On May 15th, they planned for their first annual softball and picnic; however, the event was postponed due to heavy rains. There was good attendance at the subsequent date and another will be scheduled in October. They also worked on holding a Senior Art Fair which has been postponed to the 2009/10 calendar because there was not enough time to put it together. They are also in the process of publishing a home maintenance referral guide for seniors, which includes names and numbers of carpenters, painters and other repair representatives.

Monthly Newsletter – They are still working on the newsletter which is delayed due to pricing issues, getting advertisers, but it will be included in their 2009/10 goals list.

Lafayette Community Foundation's Senior Liaison Committee Partnership – They held two events this year; including a roundtable in November for seniors on transportation. The Committee also hosted community workshops which were held in conjunction with the Needs Assessment Survey.

Seek Additional Civic and Volunteer Partners – They partnered with the Chamber of Commerce to provide transportation, LaMorinda Spirit provided Spirit Van shuttle service for the Art and Wine Festival and the Taste of Lafayette event. The Lafayette Garden Club provided donations for door prizes for the Holiday Concert and the Commission plans to participate in Safety Day with the Emergency Preparedness Commission.

Continue to Advocate for a Senior Center Downtown – Their work continues on this matter.

Increase Volunteerism – They now have job descriptions for volunteers and training programs for events and general support in the Center for day to day operations have been drafted. They will also be recruiting volunteers in the coming year.

Support Senior Transportation Program – This is more important than ever before, as previously, a Transportation Committee existed from those communities that support the Spirit Van and this body has currently been discontinued. The Senior Transportation Program can benefit more from Commission support

2009/2010 Goals:

Chair McCahan said they decided to arrange their priorities and objectives under categories which came forth under the Needs Assessment Survey:

Transportation: They wish to support the efforts to obtain an additional van. They will develop and implement a familiarization program for van users. She said people will call, receive initial information and then they do not call back, and therefore, the program will familiarize seniors with the van and services to encourage more people to participate in the program. They also want to promote awareness of transportation services and the availability to the senior community.

Housing: Their chief goal is to advocate for expanded housing options in the downtown, specifically for seniors in the moderate income bracket. This may not be the right job for the Commission it might be an appropriate matter to forward to the Senior Housing Task Force. This also needs to be incorporated into the Downtown Strategic Plan as more seniors move out of Lafayette because there is not appropriate housing for them here.

Aging in Place: Survey results showed this to be the top priority and the Commission wants to establish a volunteer program to assist older adults with their household chores as one component of support. They will reach out to groups in the community to bring together a cohesive work force. They will publish the home maintenance resource guide and they will partner with the Senior Liaison group of the Community Foundation to hold a seminar to acquaint seniors with the resources available to foster independent living.

Senior Center: They want to offer additional types of services, programs and events. They will recruit, organize and train more volunteers to enable support at events and at the center, and also help with the volunteer program for aging in place. They want to promote senior center membership, increase attendance, and are still advocating for a downtown senior center. She said the survey revealed that seniors want a facility where they could share the space with others so they would have special hours and/or locations in that building. Another component which can be achieved more quickly is a location downtown such as the library where information resources for seniors can be disseminated. Many seniors object to coming all the way out to the Community Center, and if more convenient, more feedback can be obtained.

Communication and Awareness: They want to obtain additional space in the Parks and Recreation guide which is published quarterly, they are looking at developing an on-line newsletter for those who have access to computers, and they are still looking at publishing a hard copy newspaper.

Safety and Health: They will be participating in Safety Day with Emergency Preparedness Commission and also want to advocate for a safe downtown for those who have mobility issues. This task would involve making crossings more available and sidewalks more consistent to improve access and alleviate fear.

On-Going Activities: Partner with local county and regional agencies and forums that are interested in senior affairs, and to continue to seek other partners with whom they can advance the cause of older adults.

Securing/Raising Funds: She said they want to raise funds not only to support the Needs Assessment Survey which is being completed, but also other endeavors set forth for 2009/2010.

Councilmember Anderson referred to the senior center and a phased approach, and he questioned what would be the first phase or concept. Chair McCahan said the concept is to retain

the existing facility but to have alternative venues where they can publicize what is going on and inform the public about services, issues, and programs. She said much time is spent counseling and making referrals, distributing materials, and a helpful step would be to have a place downtown where seniors frequent.

Councilmember Anderson referred to housing and said the Commission has been involved in the Downtown Specific Plan. He questioned trends and preferences of seniors in housing, such as multi-generational as opposed to senior housing with special services. Chair McCahan noted most of this information would be presented in the Needs Assessment presentation, but what seniors seem to indicate in the survey is that they want places where they can live independently. The candidates for assisted living is quite small, whereas the potential for seniors who do not want to live in a large single family house and want independent living and do not want to leave Lafayette is large. She said this also improves the tax base as houses are sold to families with children and said there is a sense that multi-generational is okay.

Councilmember Federighi said the Commission has made great strides and referred to fundraising, stating the $10 membership fee sounds very small. She questioned if a survey was done first to determine the tolerance, and asked if a membership fee could be slightly higher. Senior Center Coordinator Li said they conducted a survey of local senior centers; the event charges are higher but membership charges average $7-$10 per year.

Councilmember Federighi questioned what is charged for events, and Chair McCahan said most events are $1 for members and $3 for non-members. Ms. Li said they wanted to start out modestly, but this also seemed to be a common amount.

Councilmember Anduri said what is laid out is a very ambitious agenda for the next year and he congratulated the Commission on their accomplishments. He questioned if the coming year items could be done primarily with volunteers, because it takes time to recruit and train volunteers. He questioned what level of paid and volunteer staffing would be necessary. Chair McCahan said they have not determined this; the list was discussed at their last Commission meeting and they agree it is ambitious. They are going to take time at the next two Commission meetings to refine the goals and assess how they can be achieved. She was sure there would be some paring down.

Mayor Tatzin referred to the 600 quarterly average number of attendees at Senior Services events, and he questioned how many of these are unique individuals. Ms. Li said the software as it is used now cannot determine this, and she could not provide an estimate. Chair McCahan said they estimate the first year memberships will total about 200. It is their goal to grow this number as seniors see it is advantageous to have a membership rather than paying more at each event.

Mayor Tatzin agreed with comments regarding the broad scope of the 2009/10 plan and was happy that the Commission would spend time thinking through the plan. He liked the survey results that talked about strong interest in seniors staying in place and the Commission tackling this. In some circumstances, there may be opportunities for the Commission to use some housing money in the RDA to assist with this, and he encouraged the Commission to meet with staff to discuss innovative programs which could provide help. Chair McCahan said she discussed this with Ms. Merideth and knows there will be an overlay that will set aside requirements that are normally required for multi-family dwellings downtown; the number of units per acre would be higher for senior housing and the number of parking spaces would be less for senior housing.

Mayor Tatzin said the City may be able to assist with certain types of home repairs if the person falls within an affordable category and there are some long-term use restrictions on the unit, which some of the seniors may be willing to do. So, it may help with the stay-in-place goal that many seniors have in addition to the new housing.

B. Senior Needs Assessment Task Force Goals and Accomplishments
Recommendation: Receive and file.

Chair McCahan acknowledged members Marechal Duncan, Lois Laine, Bob Nolan, Carl Anduri, Dick Holt and Mary Anne Winig, who have worked hard on the project. She referred to Goal #3; Securing Funding and said they started with a list of 50 foundations which award grants for aging, elderly and senior citizens. They investigated each one and narrowed them down to 23 foundations which are on target for Lafayette's purposes. They wrote one grant to the Lafayette Community Foundation, who awarded them with $1,000 and she has 2 other outstanding grants. She briefly discussed how tough the foundation market is, said many are suspending all 2009 funding, many do not fund surveys, and many have said the Commission's work is great, but just not competitive, as there are seniors without food. She said they will continue to raise funds and currently have $1,880.

She said they are not prepared to make any recommendations tonight. They have only had the report for one week and they will continue to work with the consultant to arrive at feasible recommendations and phase them in over time.

Mayor Tatzin thanked the Commission and Task Force for their productive year.

6. ADJOURNMENT

The City Council adjourned to the City Council Regular meeting at 7:01 p.m.

APPROVED:

_____
Don Tatzin, Mayor

ATTEST:

_____
Joanne Robbins, City Clerk

City of Lafayette
Lafayette City Council
Redevelopment Agency Meeting

MINUTES

Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

July 13, 2009
7:00 p.m.

1. CALL TO ORDER

Mayor Tatzin called the Regular City Council meeting to order at 7:02 p.m.

2. ROLL CALL

Present: Mayor Tatzin, Vice Mayor Andersson, Councilmember's Anderson, Anduri and Federighi

Absent: None

Staff: Steven Falk, City Manager; Tracy Robinson, Administrative Services Director; Ann Merideth, Community Development Director; Mei Sun, Senior Center Coordinator; Christine Sinnette, Senior Planner; Mala Subramanian, City Attorney; Joanne Robbins, City Clerk

3. PLEDGE OF ALLEGIANCE – led by Mayor Tatzin

4. ADOPTION OF AGENDA

Mayor Tatzin reported the agenda had been amended to add Item 10.I; Community Center Signs.

ACTION: It was M/S/C (Anderson/Andersson) to adopt the agenda, as amended. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

5. PUBLIC COMMENTS

LOIS LAINE, President of the Friends of the Lafayette Library, said they have sold used books for some time, and each time they sell a book they ask the purchaser to make a donation to the City and presented a check to the City Council.

Mayor Tatzin recognized the donation, said in addition to the Friends' annual support of the Library of $30,000-$40,000, they contributed $750,000 toward construction and have raised an additional $250,000 for an addition to the book collection above and beyond the $250,000 budgeted.

6. PRESENTATION

A. Report from BW Research on the Senior Needs Assessment Study
Recommendation: Discuss and direct staff.

Josh Williams, President of BW Research, presented the Senior Needs Assessment Study, stating Lafayette has an estimated 7,400 older adult residents, which accounts for about 30% of the City's total population. This is increased from 26% in 2000 and over the next 10-20 years, they expect 35% of the population will fit within the 55+ range. He said they want to capture concerns of residents with older parents and he noted that 16% to 17% of 55-65 year olds are caregivers, and baby boomers are in the planning process of retirement and thinking of housing as they age. The ultimate goal of the assessment was to identify the extent of which older adults' needs are being met and what will be their needs as they age.

Mr. Williams said two community workshops were held on April 28 with approximately 55 attendees. They also completed a quantitative telephone survey, based mostly on voter registration, which was representative of the older adult population of the City by age, gender and distribution within the City. Four hundred residents 55 and over completed the phone interview which gives a margin of error of just under 5%, given a 95% level of confidence. They look for a low refusal rates in a telephone survey, which in Lafayette was low (only 20%) and with 4 out of 5 seniors completing the survey. He said with older adult voters, they estimate that 94% are registered to vote. They also conducted executive interviews before and after the survey.

From the community workshops there were three essential issues that were prominent: transportation services, moderately priced housing, and a centrally located community/senior center. He said the workshops and executive interviews tend to represent the most engaged older adults in the community, whereas survey results represent the general population.

One question focused on the quality of life in Lafayette and 90% of those surveyed said the quality of life was excellent or good. This dropped slightly when asked about how the City is as a place to age. About 70% indicated that it was excellent and good. They then asked about their concerns now and into the future and 40% responded that housing is a top concern. Other concerns included getting good health care, feeling safe, and transportation.

Mayor Tatzin said when similar questions are asked in other communities, does Mr. Williams see similar results both in priority order and in terms of the portion of the respondents expressing these concerns. Mr. Williams said, the issue of housing is typically a concern within the senior population. In Lafayette, safety is not as important as in other communities, and issues like housing and transportation are more important here than in other communities. There was discussion relating to mobility and the connection to transportation in executive interviews, and one tends to see issues of crime and perceived safety as being of higher importance in other communities. While this is still one of the top five issues, it is not uppermost here.

Mayor Tatzin asked if the ranking hierarchy and the rate of 30% were typical. Mr. Williams said this is typical; but is sometimes higher. Mr. Williams also stated that just under half of the older adult community in Lafayette is between the ages of 55 and 64 and almost two-thirds are between the ages of 55 and 69 years old. The younger older adults (55-69) represent a solid majority of the older adult community in Lafayette.

He said there was a real difference in priorities in terms of what their concerns were and different age groups tended to show the greatest differentiation of these concerns. With 55-74, housing was the number one issue, but for 75 and older adults, taking care of household chores was the number one issue. Other issues of independent living also became a higher importance for 75 and older adults. Having needed transportation was the number two issue for those 85 years and older. Also important to note is the overall concerns, in general, noticeably got higher on

everything on average as people got older. For 55-64, it was only 21% whereas it rose to 34% with the older adult group.

Mayor Tatzin said of the 400, how many people were in each age group. Mr. Williams said it was exactly representative of populations; 48% were between 55 and 64, about 79% were between 55 and 74 and the remaining 21% was the 75 and older.

Mayor Tatzin questioned how many people would have been in the survey respondents of the 85 year and older group. Mr. Williams said it was approximately 50 and there were 100 who were 75 and older, which represents one-quarter of the population. Mayor Tatzin said the reliability of results in moving further on the right in the chart is not quite as high, and Mr. Williams said the margin of error rises the smaller the number.

Mr. Williams said they next asked residents if they expect to move within the next 10 years. About 1/3 of residents 55 years and older expect to move from the current residences, and the reason is that they need to downsize. Their current house is too large and difficult to maintain. Of those, 49% expect to live on their own, about 19% expect to live with family, about 20% expect to live in a senior community and about 13.5% are not sure. About the 13% of older adults expect to move out of Lafayette and this represents about 974 of the City's currently 7,400 residents of 55 years and older. An additional 1360 residents are not sure whether they will move or stay.

The survey asked if senior housing were to be developed in Lafayette, should it be a low income like the Chateau Lafayette, middle income like Rossmoor or a higher income development like the Stratford. A majority at 54% preferred the middle income housing preference. They also focused on transportation questions; about 93% of older adults are driving themselves. This number drops with age, but 2/3 of adults 85 or older are still driving themselves. One interesting finding they saw is that public transportation use was higher with younger older adults of 55 to 74, and it dropped off considerably for 75 to 84 years old and then picked up with 85 years and older. There are a number of older adults missing appointments due to lack of transportation, which varies from 5.8% up to 17%.

Mayor Tatzin asked that for people of 85 years and older nation-wide, what percentage would still be driving themselves. Mr. Williams said two years ago, it was about 60%. Mayor Tatzin said is this number because it is difficult to stay in Lafayette unless one drives, and he did not think this was representative of the population but of the people who continue to stay in Lafayette. Mr. Williams agreed, and said it is higher than the national average and he agreed to follow-up on the percentage.

Councilmember Federighi said the percentage of those 65-74 who drive themselves is higher than the percentage of those 55-64. Mr. Williams said this is within the margin of error. It is such a high number, and this is still 19 out of 20 versus 19.5 out of 20 residents. The margin of error is a little larger when looking at sub-populations.

Mr. Williams also noted that some of the major barriers in using public transportation services are the lack of awareness of available programs. There is also a concern about how to use it and the inconvenience. He said one thing you will see in a public opinion research is the low level of comfort among seniors for using public transportation.

Councilmember Anderson referred to the last column as, "don't know" and "not sure", and asked how the question was framed, and was it due to unwillingness to answer the question or not knowing something is available. Mr. Williams said it is an unwillingness to answer the question.

Councilmember Anderson felt this was a high percentage; however, the statement was made that there is a low level of non-response. Mr. Williams said he referred to the level of cooperation of those willing to take the survey. He said the question referred to is an open-ended question and often 20%-50% answer "don't know" which is typical.

Next, the interviewers asked about people's awareness of the senior center. From an overall perspective, about 1/3 of seniors have used the senior center and almost 9 out of 10 or 86% are aware of its presence. Usage of the center increases by age, and while only 18% of those 55-64 have used it, almost 60% of the 85 and older have used it.

Councilmember Anduri questioned if this statistic surprised Mr. Williams, as he felt it was amazing that such a high percentage knew about the senior center. Mr. Williams said yes, and this number compares favorably and is consistent with cities that have a more established center.

Mr. Williams said they also questioned types of recreation services and where would seniors like recreation services housed. He said this gets back to the question asked earlier about a multi-generational facility or one that is just dedicated purely to older adults and seniors. Over two-thirds indicated they liked the idea of a multi-generational facility with dedicated rooms or hours for older adults. Only 13%-14% prefer it to be purely a senior center use. The other 18%-19% were not sure or said it depended upon the instance. They also asked about a preferred location for a new senior center and almost 2/3 of residents preferred a downtown location. 3% preferred the current location, 2% said west by the reservoir. Noteworthy is that so many people prefer a different location than the current one. Part of the reason is that this center is not as established, it may not have been there a long time, but clearly there is a desire for a location closer to the City's core.

He said they asked the question, if there was a new center, would you be likely to use it. Just under two-thirds of all older adults said they would likely use a senior center and this increases with the older senior group. Councilmember Anduri questioned if this result surprised Mr. Williams; that the 55-64 group was about the same as the 65-74 and 85 and older. Mr. Williams said yes and no; they tend to see the split being 55-74 which is a common cohort, and then the jump happens at 75 and older. What does surprise him is that the 75-84's usage was relatively low and they then saw a difference between the 85 and older. So, the jump between the 75-84 versus 85 and older stood out more than the lack of difference between 55-64 and 65 and older.

Councilmember Anduri questioned how these numbers compare to other communities in terms of indications of likely use. Mr. Williams said it is in the middle—he has seen communities where it is higher at 70-75, as well as lower, so Lafayette is sort of in the middle. The one thing that stands out is the high percentage from the older adult population. This says something about the older adult population having a strong desire.

Mr. Williams said they also looked at the importance of different programs and activities. Education, fitness and cultural activities were either very important or important to almost 90%. He said having a place to hang out and socialize was particularly important to that older adult population. They then actually looked at the issues which were of greatest need among the older adult population. Again, they see issues relating to housing, getting Lafayette residents priority for space in senior housing, assisting older adults with services to allow them to remain in their homes. This issue was important with all adults, but particularly with the older adult population. The idea of independent living in the City resonated for support. Expanding transportation services, increasing awareness and improving the walk ability of Lafayette were also high priorities for over half of seniors.

Mayor Tatzin questioned if Mr. Williams knew of any communities that have been able to give their residents priority for housing developments, given non-discrimination laws. Mr. Williams said they have done research on this; they have seen cities on the Internet who have indicated this. They have made some calls and are waiting to hear back. These cities advertised something to the effect that they are able to serve residents and they have programs in place.

Vice Mayor Andersson referred to assisting older adults to enable them to stay in place and two scenarios: 1) the desire to stay in their single family home and get help with landscaping and house cleaning so they do not have to move into a smaller place; and 2) happy to move into a smaller place but still need help rather than assisted living. He questioned and confirmed that the results represented both scenarios. Mr. Williams said they are trying to drive at what are the issues of the highest priority. He said there is always the desire to stay in the current home, but at the same time, they are asking those 55-75 and their perception of this will change as they age based on their circumstances.

Vice Mayor Andersson said he asked this because there are a different set of services required; one is to support your house and your yard, and the other is personal support. Mr. Williams said both fall under the issue of independent living within the City.

Councilmember Anduri said when you look at a set of results like this, people have different expectations, they also have different objectivities about where they might be and what they might be doing and he questioned how this is taken into account. He questioned how the fact of people being too optimistic is taken into account regarding their ability to stay in their homes, even if they had services. Mr. Williams said they look at the data and results by different age groups, income categories and variables that may impact that perspective. There was relative uniform consistency between the groups by not only age but also, by income and by gender, which is important to note. But, this is a measure of a point in time, meaning it represents where they are now and where they think they'll be in the future. One of the issues that all of these results are swayed by is that so much of the adult population is between the age of 55-64 so it is almost like a planning focus so you see differences. On these issues there was relative consistency between the younger older adults as well as much older adults.

Councilmember Anduri said Ms. McCahan indicated previously that the survey showed there was interest in independent living but less so in assisted living. He reviewed all of the information and he cannot find that conclusion and he asked for help in reading the statistics. Mr. Williams said they are statistically the same, given the margin of error. He said he was absolutely surprised that 5.8% said assisted living was their number one priority, but in going back to the detailed materials on page 38 where it breaks it down by age, 43% of those 75 years and older indicate that assisted living is a high priority, whereas for independent living, it is only 33%.

Mr. Williams said the next slide shows that the top priority is more than 50% higher for the moderate priced housing. Councilmember Anduri said what is interesting about this too is that assisted living comes in 50% higher than building a new senior center. Mr. Williams said there are many important issues; one reason as to why we would see in the data that moderately priced housing was more important is valuable because for most "younger" older adults, housing is not the first priority, but yet you see a relatively high portion of the idea of developing moderately priced housing. While the number is only 9%, this is about 50% more than the 5.8% that indicated developing an assisted living facility. He said in other studies where this question was asked, the individuals that really want assisted living facilities is a top priority for them. So, if there is a real drive for assisted living facilities, it tends to double that moderately priced housing facility. In this

case, it was lower. So the relative comparison gives him some willingness to say that it is pretty important.

Councilmember Anderson questioned if there was a way to determine which group is ready to make the change from where they are now in a house on acreage to a new housing development in the downtown. Mr. Williams said they do have data that tells them there is a group that expects to move over the next 10 years and we know that group tends to be in the middle of the age tier, generally. The group he would tend to focus on is those seniors 60-70 years old; however, at some point, the group will become so small that the margin of error becomes large. He therefore suggested doing more data analysis to confirm these "sweet spots."

Mr. Williams concluded by stating independent living in the City is important, older adults want to remain in the City but worry that their quality of life will diminish as they age driven by fears about housing meeting their needs, feeling safe particularly about mobility and security, and transportation they need. A centrally located community or senior center was consistently important in workshops and executive interviews; however, it was not as high up in the survey. This is partly due to the inability to put it in context; the survey tool cannot describe what the senior center is and can offer, whereas in a community workshop or executive interview, the topic would elicit more response. He would say a multi-generational community/senior center would become more popular to a greater percentage of the senior population if it could be described and put into context. If there was a new center, residents would prefer it be located downtown and be a multi-generational facility. There was both the results and the budget environment indicates there needs to be a focus on increased communication and collaboration with for profit, non-profit and other public agencies within the region.

Councilmember Anderson thanked Mr. Williams for his presentation and hoped he could further clarify data requested, but he said it seemed like the 85 and older is most interested in a senior center, having activities and social networking. Younger seniors seem like they already have things going on, they are doing volunteer work, so he questioned if there was a possibility of combining those two to get the younger seniors to help the older seniors. Mr. Williams said he thinks the real connection was with the middle seniors and the older seniors. Many 55-64 year olds are still working and they are trying to think where they are going to be 5-10 years from now, but he felt it would work better with the 65-74 year olds with the older seniors. It is typical in senior needs assessments that the 85 and older group does have greater needs and interests in some of the issues and socialization is particular important.

Mayor Tatzin said Chair McCahan indicated that what will happen now is that the Senior Services Commission will continue to work with the consultant and the Senior Needs Assessment Task Force because this is one component required before an overall plan to serve senior needs can be finalized.

Councilmember Anduri referred to page 37 and the Prioritization of Needs, he said one that got a high score was improving the walk ability of Lafayette, and he asked if the interviewers got a sense of what people had in mind. Mr. Williams said connecting this to some of the workshop comments and the interview comments, for this population, walk ability was connected to mobility, which is connected to safety. There was a concern this was a challenge and issue in the City.

Public Comments:

GUY ATWOOD said he was surveyed and he pointed out that one of his businesses is serving seniors. He tries to bring seniors together with their families and friends via video-conferencing.

They also try to bring seniors together with their caregivers. To the extent that one of the highest priorities was to understand what services are being offered, there are tools available that might be helpful. Also, the federal government will pay people, communities and other organizations to try and keep people in their homes because it gets expensive for the government when people get into affordable housing communities from a medical standpoint. He felt this was clearly something we should be working on.

Councilmember Federighi referred to assisted living and wanting to continue to live independently and whether the City has good figures on the numbers who really do require assisted living, whether at an assisted living facility or at home, where they receive in-home services by caretakers. Mr. Williams said this would be addressed by looking at what the top priority is. If a senior is faced with living in an assisted living facility, the expectation is that they will put this as their top priority. He said to get a better understanding of priorities, they can look at the question of expectations of moving and then, if they are expecting to move and depending on how they answered the prioritization question, they could start to see how big that group is that does require an assisted living facility.

Vice Mayor Andersson said earlier in the presentation, 92% of those surveyed want to stay in their home. Soon afterwards, 30% expected to move. Mr. Williams said the 92% was from another survey in Contra Costa County and not necessarily of Lafayette. Vice Mayor Andersson said this still suggests overlap between those who hope to stay in their home but expect not to be able to. He asked if this was primarily because of diminished capabilities. Mr. Williams said the overlap is probably greater in the City, particularly given the geography and how spread out it is and he would imagine the number being bigger.

Vice Mayor Andersson said that as he is a younger older adult, it is surprising and encouraging that the senior center also be integrated with other age groups which he feels works better for all, and identifying those that may need assistance to age in place is important. Mr. Williams said two issues are day to day chores and health care and getting to and from appointments and filling prescriptions.

Mayor Tatzin thanked Mr. Williams, said the City wanted to complete the survey so results could be factored into the Downtown Specific Plan and the Senior Services Commission will continue their work.

B. Report from the Charter City and Communications Committee
Recommendation: 1) Place a measure on the November 2010 ballot asking Lafayette residents to approve a charter. 2) Place an additional measure on the November 2010 ballot authorizing the city to increase the property transfer tax. 3) Conduct a community survey as part of the Open Space poll to determine attitude towards and tolerance for increased property transfer tax; 4) Provide direction to the Committee regarding a draft charter.

Mayor Tatzin noted that the Committee was formed in the spring, and their schedule was to provide a report back in June and he introduced Chair Cheryl Knoll. Chair Knoll acknowledged Committee members Reed Edwards, Dan Dietrich, Greg Worley and Yolanda Vega.

Chair Knoll said the recommendation is contained in the staff report, said the City requested they look into becoming a Charter City, and at the last meeting she reported that Committee members interviewed cities by telephone and in person. 15 cities were contacted and they learned that

some had been chartered recently as well as those with charters over 100 years. They found that all cities are unique.

Mayor Tatzin questioned if the Committee drew some conclusions about where to proceed for a City like Lafayette. Ms. Knoll said a shorter, broader charter city was recommended to be the best. She said something like the cities of San Ramon and Santa Maria, and their recommendation was to keep it simple and make amendments available through ordinances.

Chair Knoll said many benefits of being a charter city have been eaten away; however, there still are some. They found various cities use different benefits of being a charter. Some used the property transfer tax, local control over contracting provisions which Lafayette enjoys already, contracting preferences where the city can choose local vendors, refined election procedures, and prevailing wage. She said there are some risks with becoming a charter city. Amendments can be made to the charter once it is adopted, but very few cities they surveyed had few amendments. There were some that had binding arbitration amendments placed in their charters that they were not happy about. San Luis Obispo had a land use amendment proposed in it and the City opposed it and won, and Piedmont had a rezoning issue.

Councilmember Anduri questioned and confirmed that the Committee found no instance where a charter city returned to being a general law city. Councilmember Anduri questioned whether doing so would require a 50%+ vote to revoke the charter, and City Attorney Subramanian agreed and said it would need to return to the voter. Chair Knoll said most cities did not remember why they formed as a charter city, but most were very happy as one because they felt some control over their destiny.

Councilmember Federighi referred to page 3 of 4, the prevailing wage issue; "Charter cities can pay non-prevailing wages for capital projects that involve only city funds; however, no charter cities in the Bay Area do so, and other efforts by other charter cities to adopt a charter that do not commit the city to pay prevailing wage either by provision within the charter or by ordinance have not succeeded." She said in looking at San Ramon's charter, it states, "...shall establish procedures including any competitive bidding requirements to be followed by the city in awarding contracts" and it does not address it.

Mayor Tatzin said they interviewed San Ramon and they said they have not used the prevailing wage option that a charter city has. Since the Committee wrote the report, there have been press articles that Palo Alto is a charter city and they have said they will start issuing contract where they ask bidders not to pay a prevailing wage; however, the success of this is unknown. City Attorney Subramanian said the City of Chula Vista recently became a charter city and as part of that, indicated they would not pay prevailing wage. There was a lawsuit and they were successful in upholding their case. It is being appealed; however, it does appear the City would have the ability not to pay prevailing wage as long as funds were grant funds.

Chair Knoll said there are other cities that have prevailing wage issues and labor has intervened, so the city can choose whether or not to do it. Mayor Tatzin said he thinks Santa Maria thought about not paying prevailing wage, but then proceeded due to San Luis Obispo's experience.

Councilmember Federighi said it would seem that the major impetus from the report for becoming a charter city would be the advantage of being able to approve a property transfer tax because it is higher level than what a general law city has. Chair Knoll agreed and this is the conclusion the Committee has come to; having the voters approve it.

Councilmember Anduri asked for clarification on the recommendation. He referred to page 3 of 4; "the Committee also recommends a separate measure also be placed on the same ballot with a severability clause that would enable a City Council to raise the current property transfer tax." Chair Knoll said the City Council must determine the amount. Councilmember Anduri questioned if it was anticipated that the proposed amount would be on the ballot measure, and Mayor Tatzin said yes or at least a maximum. He said he believes the City could structure a ballot argument, such as the 1996 Road and Drain Measure that says, "Shall the City levy a property transfer tax that shall be no more than "x" or such lesser amount as determined by the Council."

Chair Knoll said if the Council wanted their Committee to return with a recommendation as to the amount, they could do so once they reconvene in the fall. However, their recommendation was to put the charter city initiative on the ballot which is then separate from raising the property transfer tax. Councilmember Anduri confirmed also that the Committee was also recommending a separate measure that would call for either a maximum or specific amount of the property tax.

Vice Mayor Andersson said amendments are not common, but have been done and sometimes cause problems. He questioned if the amendments were passed by the Council or as a result of an election. Chair Knoll said they have been done by both; the Council can adopt ordinances. If it is a broad charter, the Council would act through ordinance. Mayor Tatzin said amendments to the charter must be approved by the voters by 50%; however, San Ramon's charter allows the Council to take a lot of action by ordinance, but in doing so, this is not an amendment to the charter.

Chair Kroll agreed and said San Ramon has amended their charter once and it was put on the ballot by the community. She said if the city adopts a shortened, broader charter; it is likely that any amendment would most likely be put on the ballot by the community.

Councilmember Anderson referred to the survey which is linked to the Open Space Committee's survey, and it states there is relevance to the Committee's work because proceeds from property transfer tax can be used to purchase open space. He said this relationship is not the real reason we would join it with the survey, but more the fact that it is a nice coincidence. Chair Knoll said yes, it is their understanding that the property transfer tax will go toward the general unfunded needs of the city, and open space, police and roads are things that the City cannot fund at the moment.

Public Comments:

GUY ATWOOD said there were 5 areas in which the Committee reviewed to justify going to a charter city. He said 4 of the 5 areas concluded that there is sufficient reason to become a charter city. He said the one remaining reason therefore is to have the property transfer tax and gain a larger amount. Mayor Tatzin clarified that under state law, you cannot raise the property transfer tax unless you are a charter city. Mr. Atwood said the reason then for raising the tax is because "substantial under funded needs that the current City revenues cannot cover such as road repairs, police services, and open space." Further, "the Finance Subcommittee also concluded there are not areas within the City budget where the city can reduce costs sufficiently in order to cover the aforementioned needs." He said he asked the Finance Subcommittee through the Council as to when they would expect to recommend the various changes they had in their report, and they indicated they would if they got into a more dire circumstance. He questioned whether the City should instead go back to the Finance Subcommittee report and review all of the recommendations which were not implemented by the City Council before considering becoming a charter city because it was felt there was not enough of a need.

Mayor Tatzin said the Council did go back and looked at items highlighted in yellow when the budget was set for 2009/2010 which was within the last 60 days. Mr. Atwood said there was no detailed discussion about the recommendations of the Finance Subcommittee and there were pages of them. Mayor Tatzin said there were, but some were in red of things they would not recommend. Mr. Atwood said it would seem that is the reason for having a charter city, there is a logical procedure to get there; one would be to make sure you've exhausted all efforts on trying to control city expenses before proceeding with a charter city just for one reason—to raise the property transfer tax.

Mayor Tatzin confirmed there were no other speakers.

Councilmember Anderson said Mr. Atwood indicated there is only one reason toward a charter city, but his sense was that the strongest reason was the property transfer tax, but the City could also accrue some other benefits. Chair Knoll said there are multiple benefits, but she agreed that the strongest benefits are the local control and the property transfer tax.

Councilmember Federighi said the report states, "conduct a community survey as part of the Open Space poll." The Open Space Committee has not yet made the recommendation to do an Open Space poll. She thinks the idea has been floated that possibly a poll could be added onto another survey, but it has never been discussed or approved, and in fact, the committee has worked and will hold a workshop on the 16th to review criteria for identifying and acquiring open space. Mayor Tatzin said the Charter City Committee had heard that the Open Space Committee was possibly contemplating a poll and felt that if they did so, it would be good to piggyback questions about this on that poll. Absent that, then perhaps the Committee would recommend looking at some other way of getting some voter opinion as to whether this would be a popular idea.

City Manager Falk clarified that the Council at its budget hearings did include $15,000 in the budget to conduct a voter attitude survey in the current fiscal year. Since there was no identifiable program to list that expenditure, the Council did so under the Open Space program. It could have easily been under another program, but this leads to confusion that it is called an open space poll when it might be an entirely different subject.

Councilmember Anduri said the Committee did a great job and thanked them. He asked how to proceed and questioned whether it was the Mayor's intent that the Council would discuss each of the recommendations this evening and make a decision or that, short of a poll, have more of an opportunity for public input. He said interesting is that part two of this committee's work is to work on ways to communicate with the public.

Mayor Tatzin said the Committee's sense is that they would like some direction so when they start meeting in the fall, they know what they're working on. He questioned whether to say the City indicates their preliminary interest in putting this on the ballot for November 2010 and improving some methodologies for doing it, and also, does the Council want the Committee to work with the City Attorney to draft a charter from the best ones seen and bring this back for public review. Also, the question is whether the Council interested in including on a ballot measure a property transfer tax. The reason for the November 2010 date is because such a tax must be placed on a ballot which the members of the elected bodies are up for election. Given this, the Committee was anticipating some direction tonight recognizing more information will be brought forth and the Council is not approving the ballot language.

Councilmember Anduri voiced support for the Committee proceeding to develop a draft city charter with the idea it would go on the ballot, and he would favor the simplest charter. Regarding the issue of the property transfer tax, while he is open to have the Charter Committee work on it, he thinks this is most likely the work of another group; possibly the Finance Subcommittee or a revenue-focused group.

Councilmember Federighi said she thinks this is something worth seriously considering, but before making an absolute commitment, she would like to see what the proposed charter would look like. She hoped the state would have a budget this week, but perhaps when the Council has more information about how the budget will impact the City; the Council could again look in more detail the Finance Subcommittee report to assist the Council in further proceeding.

Vice Mayor Andersson said he agrees generally with Councilmember Federighi comments; to some extent the Council could do these in reverse order because the city is not running up against any deadline for the November 2010 ballot. He felt the Council could express an intended direction, but it would be good to have the draft language of the charter prepared for review. If there is some potential for getting polling done and some ideas of people's attitudes of the idea and what the tolerance might be for numbers, this would be useful before finally committing to a ballot measure, particularly the second measure authorizing the transfer tax.

Councilmember Anderson agreed and supports this completely, but questioned if one of the recommendations from the Finance Subcommittee to explore the transfer tax and Mayor Tatzin said yes, and this is why the Council is discussing it. Councilmember Anderson referred to Mr. Atwood's comment and said there were items highlighted in red, there were other ideas from the report, and he supports moving forward. He suggested bringing back the Finance Subcommittee report and at some point put the two together to determine how the city is doing, particularly given the state's budget and potential impacts.

Mayor Tatzin confirmed there was a consensus to move ahead and ask the Committee in the fall to start developing a draft charter that would follow the simple approach, with the cities of San Ramon and Santa Maria as examples, to include questions both about the charter and a property transfer tax or other item included in a poll the City has authorized in the budget, and put one or more items on the November 2010 ballot. He reminded the Council that one of the reasons the Council started the City Charter Committee in March of 2009 was that they have learned from experience that when items are put on the ballot six months before they are voted on, the chance to move public opinion dramatically is very limited. He hoped that the Council makes a decision to do it during this calendar year because he would not want this deferred before the statutory limitation of August. Councilmember's agreed.

Mayor Tatzin said there has also been discussion regarding items of the Finance Subcommittee. In Item 7b, they had an update on the State budget crisis. While this cannot be concluded tonight, the Council could address it at a future meeting.

ACTION: It was M/S/C (Anderson/Andersson) to direct the Committee to draft a charter and measure language to increase the property transfer tax for possible placement on the November 2010 ballot and to conduct a community survey in conjunction with the Open Space survey. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent.

7. OLD BUSINESS

A. Continued consideration of a request from Contra Costa Certified Farmers' Markets, Inc. to use Plaza Park for a farmers' market pilot program

Recommendation: Discuss and direct staff.

Senior Planner Christine Sinnette said at the last meeting on June 22, 2009 the City Council considered a request from the Contra Costa Certified Farmers' Markets, Inc. to use Plaza Park for an evening farmers' market. This would be a five-week pilot program beginning in August. The matter was continued to this evening to allow the CCCFM and staff to provide additional information relating to the market layout, operations, and the cost to provide public works services. The staff report contains the information provided by CCCFM as well as correspondence and public comments received. There is also additional correspondence submitted this evening by Mr. Lifson.

According to the market location plan, the 5-week certified market would involve the closure of Plaza Way and Golden Gate Way from Moraga Road to the exit on Plaza Way, the posting of no-parking signs prior to the road closure and portable toilets. In reviewing the request, the Council may want to consider two policy issues:

1. Should the Council approve the use of Plaza Park for the pilot program, and
2. If so, should the City be a co-sponsor and absorb some of the costs related to the set up and production.

Regarding costs for City services, Ms. Sinnette spoke with the Police Chief who indicated that no extra police presence would be necessary. If vehicles needed to be towed from the area which would have the road closures, the parking enforcement officer's time would be billed to CCCFM and the vehicle's owner would pay for any towing charges.

Since the staff report was written, she forwarded an email to the Council providing costs estimated by Mr. Lefler, Public Works Services Manager. He indicated that staff could deliver barricades and traffic cones to the site for a fee, set up and remove them, which would be at an additional cost. Alternatively, CCCFM could pick them up, install them and return them to the Corporation Yard at no cost to the City. According to information from Mr. Lefler, services could range between $2500-$3600 depending upon whether the market or the City needed to set up the road barriers and no-parking signs. However, due to the intermittent need of public works for the barricades and traffic cones, the Corporation Yard or someone would have to deliver them back after each market event.

Councilmember Anderson said he believes there was a rationale for this site over some of the others that were reviewed, and he questioned how this site was chosen as opposed to Acalanes High School. Ms. Sinnette suggested representatives from CCCFM respond, but she said Acalanes High School was reviewed but due to the numerous evening events, they did not believe it would work due to parking concerns. They had also looked at property owned by EBMUD off Mt. Diablo Boulevard, but she was not sure of those issues. She said staff's involvement has been more to present cost estimates and the information provided by CCCFM rather than analyze the request.

Councilmember Anderson said of concern is parking for this site, and he questioned and confirmed with Ms. Sinnette that staff has not yet analyzed the potential impact and where people would park; depending on how the Council wants to proceed, it could further direct staff.

Councilmember Federighi said one policy question raised in the staff report is, should the City be a sponsor for this event, and by co-sponsoring, the City would achieve one of the goals of the Environmental Task Force and would receive economic benefit. She questioned and confirmed

with Ms. Sinnette that the City did not need to be a sponsor in order to achieve that goal, but it could be a reason to be a co-sponsor.

Councilmember Federighi questioned why there are various costs listed that add up to $1,000, and she assumed these were for a 5-week farmers' market period. Ms. Sinnette said the memorandum is primarily for the rental of the barricades and traffic cones and there is a flat rate for each event. If the public works staff has to deliver the barricades to the site or set them up, there are various costs associated with that work. Councilmember Federighi questioned if CCCFM would pay for the costs. Ms. Sinnette said they could or, or upon approval from the City's public works department CCCFM could also secure their own barricades from a private entity and install them. She said if the City wanted to be a co-sponsor and incur some of the costs for public works services, listed in the report are costs the City would absorb, or CCCFM could use public works services and pay the City for them.

Councilmember Anduri referred to the July 10th list and said someone must pay for #1; which is the rental fee for the type 3 barricades at $100; #2 is the type 2 barricades at $75, and #3 is for loading and delivery of barricades to site or storage area at $350; #4 is $500 to load, delivery and install and remove barricades at the site. An option to this is that they could be stored in the area so they would not have to go back to the yard all the time and he questioned if this would result in a reduced cost.

Ms. Sinnette said not necessarily; this was the suggestion by CCCFM. Mr. Lefler said this is not an option because they cannot be stored off site because of the City's intermittent need for them. Councilmember Anduri noted there were additional unavoidable cost scenarios as well totaling $1200 per event which someone would have to pay for.

Public Comments:

ARLITA SMITH, Assistance League Thrift Shop Chairman for the Wayside Thrift Shop that borders up to Park Plaza, said they are very excited about having the farmers' market at the location, they support it and they would stay open for business. She questioned if there was a charge for booth space and whether they could be allowed to have items for sale in front of their shop during the market. She questioned whether parking lots on Golden Gate Way, which belong to PetCo and Oakbridge, could be used during those nights.

Mayor Tatzin said these are private lots and this would be dependent upon land owner decisions, but CCFM or the City could negotiate with them.

LINDA RIEBEL, Board member, Sustainable Lafayette, discussed their mission, said they have 500 people on their mailing list, said the proposal of a farmers' market has been received enthusiastically, they strongly endorse the market especially since CCCFM has committed to securing local vendors. She hopes the market is a success for citizens and believes the dollars will better be kept in town.

Councilmember Federighi referred to the potential spaces and she asked if vendors were local. Ms. Riebel said representatives from CCCFM could answer this question.

JANET THOMAS, member of Lafayette Environmental Task Force, thanked the Council for considering the opportunity to purchase locally grown food and other local products, to learn how and where their food is grown and transported, and to participate in a positive and healthy community experience. She said having a market is consistent with the Task Force's mission

statement, goals and strategy, and they view the 5-week trial as an opportunity to gain information to assess the markets' success before committing to a more permanent market in 2010. She noted two Acalanes High School students have already volunteered to help administer a survey during the 5-week market period. They would ask market-goers about their experiences, from what town they came, if the market helps them learn about the food they purchase, and if coming to the market resulted in their shopping at other local businesses in town. They also try to determine the impact of the market on business and parking experiences among local vendors. She said the Task Force will encourage the markets to acquire the appropriate certification to be able to offer their products and encourage local businesses to get involved in any way they can.

KATHY KOVEL said she is vehemently against the farmers market, feels products and goods represented there are duplications of things offered in local businesses in town, and she cannot imagine why the Council would want to introduce another obstacle to struggling businesses. Diablo Foods, Open Sesame, Trader Joe's and Safeway who are a source of jobs and economic stimulation will be adversely impacted. By allowing a farmers' market, we will let foreign businesses come in and reap the benefits of Lafayette's demographics without leaving anything behind, and she does not see an opportunity for market to reach out and support the local Girl Scouts, the Soccer Team, or the Library, which has been done by local businesses. She urged the Council to reject the farmers' market being introduced to Lafayette.

Councilmember Anduri questioned if Ms. Kovel knows this has been a problem to local businesses in Walnut Creek or other communities. Ms. Kovel said the idea of letting one dollar leave the hands of businesses who have made an investment here and letting carpet baggers come in and take advantage of the City's money and then leave is terrible, especially in such a fragile economy. And she was did not know whether or not any of the towns with farmers' markets are looking to remove them.

Councilmember Anderson said Ms. Kovel stated this is a duplication of local businesses. His understanding is that the vendors would be providing food and produce that is not actually available at Trader Joe's or Safeway, as it would be locally grown foods. Ms. Kovel said the entire front of Diablo Foods is full of local grown produce and this has been offered for some time. The Stokes family is a proponent of local growers, she shops there and buys local corn, plums and other items, and local food is here now already.

BEVERLY SCHMIDT said she publishes books of coupons called, "The Grapevine". Part of her job is selling ads everyday. She said an example of her day was to call 112 businesses in Lafayette and other communities, and she thinks the economy is worse than people realize. To take any business away from the businesses here or to ask for donations is so wrong. She felt this was a very serious time for everyone; she is confused that if our slogan is "shop Lafayette first", she asked why business and people are proposed to be brought in from the outside to sell what our businesses offer already and also voiced concern with what this will cost the small businesses.

JORGE QUINTERO, owner of Lafayette Pet Shoppe which is adjacent to Plaza Park, clarified that his business is not PetCo and he is on his second year in August 1st and the two empty parking lots belong to his customers and employees and are not empty. He is not for or against the farmers' market, but is here to educate the Council and the public that they are the first large business within the park itself and his business will be affected because people will park where convenient. He paid a lot of money for the two parking lots, said also included in plaza parking is WestAmerica Bank, the Park Salon, Hamilton Insurance, and Pure Ponte Gallery. He said his business stays open until 7PM and according to the proposal, the farmers' market will begin at

4PM and end at 8PM, which cuts into his afternoon commuters who come in and get their supplies prior to getting home. He said all parking will be taken from people from the farmers' markets and they will go elsewhere out of town.

Councilmember Anduri confirmed with Mr. Quintero that his experience is that when there is an event in the plaza that begins before 7PM, people park in his parking lot and it directly affects his business. Mr. Quintero said he is open every day, and last year's bike race was from 10AM to 4PM and affected his business by 10% of what it should have been. Any event always affects his business and his customers who cannot park simply drive to other pet stores outside of town.

JAY LIFSON, Chamber of Commerce, read a letter into the record to the Council from the Chamber regarding the farmers' market, stating at their Board of Directors meeting, they voted to support the proposed pilot program, recommend the organizers survey residents and businesses to further understand impacts of the test period, recommends local businesses who are already paying rent in town and have similar products sold at their markets, be allowed to have free space at the market, and the Board asked the Council not to make any decisions about 2010 without first evaluating the pilot program. He discussed the mission of the Chamber, felt the proposition was difficult for their Board and members to work through, said they met with organizers to understand the scope, set up a meeting for local businesses and advertised Council meetings to let members know they would be discussing it. He received about a dozen calls and emails adamantly opposing the farmers' market which has been copied to the Council. Traffic, parking, location of the event, imposition to nearby businesses and unfair competition were main issues. He called each city that has a farmers' market in the local area, he spoke to the Chambers, Downtown Business Associations and some businesses to find out the effect the markets have on the community. He was then asked to do a survey of their members which was done; they sent out 761 emails, 35 bounced back, 305 opened the survey, 179 looked at it, and 131 completed it. The following survey questions were asked:

- "Do you think a farmers' market will help or hurt local business owners?" 79.3% felt it would help business owners.
- "Do you currently shop at a local farmers' market?" 61% said they do.
- "Do you think parking in Lafayette will be an issue on Thursday nights?" 50% said yes; 50% said no.
- "Do you anticipate any traffic or circulation problems during the time the market is open?" 44% said yes, 52% said no.
- "If a farmers' market were held on another weekday or weekend day rather than an evening, would it change your opinion?" 42% said it would; 54% said no.
- "Would you be inclined to visit a restaurant or local business before shopping at a farmers market?" 76% said yes.
- "Are you in favor of a local farmers' market?" 81% of Chamber members said they favor it.

Mr. Lifson said businesses are struggling like everyone else in the country. He said the pilot program might give them a better understanding of impacts, and results show members weighing in on both sides.

Vice Mayor Andersson said in talking to business owners in other cities, he asked if the response was that those people often stay for lunch, shop at businesses, or do other things. Mr. Lifson said there seems to be data that indicates that people will spend incremental money in the community when they come to a farmers' market.

Vice Mayor Andersson noted that 61% of the respondents shop at farmers' markets, which he confirmed were located in other cities all over the Bay Area, and presumably, they have lunch or shop.

Councilmember Anderson said there is a condition in the approval of the concept that local businesses with similar products would have a free space and he asked if there were other conditions relating to the question of parking. Mr. Lifson said this is why their Board would like the pilot program done, evaluate what kind of impact it will have on the community, and he said they know it will, as they do events in the park. He said they know there are parking issues, people are parking in lots they should not park in, and the argument could be made that the theater has not parking and therefore other businesses should not be made to have parking. Mr. Lifson said circulation will be an issue, businesses adjacent to the plaza will be impacted, and they will need to evaluate impacts of a long term operation.

Councilmember Anderson questioned if other locations were considered or discussed. Mr. Lifson said the representatives could provide sites they discussed. There have been many comments to operate it at the old Hungry Hunter, the Butler Conte site, or not in the center of town but somewhere with ample parking and ease of access. However, other comments indicate this may not create that community feeling the town is looking for when bringing people into the center of town.

MELISSA MAZZOLI, an independent hair stylist at the Plaza Park Salon, works with 4 other independent stylists, and they are one of a few businesses who are thriving. She attributes their success to affordable pricing but they hear back from hundreds of clients who say it is a delight that they can leave their home, be able to drive to their business and park. All employees park in the adjacent lot next to the theater as well as customers. She asked the Council to consider the impact of parking, traffic, circulation, and said customers coming westbound on Mt. Diablo Boulevard, they know they can turn left onto First Street, turn right on Golden Gate Way and it loops them back easily onto their side of the street. They are open Monday through Saturdays from 8AM and into the evenings, but they may now need to direct clients down to the Starbucks, make a U-turn and this may be an impact on what customers have previously relied on. She shares similar sentiments regarding impacts to local businesses and she feels that the need for local produce is already being met by existing businesses. She said driving to and from the Library and Whole Foods in addition to holding a Thursday market, will make it difficult to maneuver.

Mayor Tatzin questioned the effect on Ms. Mazzoli's business on the days there is an event at the plaza. Ms. Mazzoli said at this point, there has not been on that would draw the types of crowds a farmers' market would and she did not believe other events could be compared.

CHUCK STUART referred to Councilmember Anduri's question as to if anyone was aware of farmers' market in the area that have problems with parking, and said next Saturday between 10AM to noon, he asked the Council to visit the Orinda Farmers' Market. He talked to the Assistant Manager at Safeway and noted he prefers to shop at a Safeway store that is not as crowded. When there are activities at the square or the Plaza Park, the Lafayette Safeway store takes the brunt of people parking and coming down to events. He spoke with the Assistant Manager at the Orinda Safeway Store and he and the Manager are trying to determine why on Saturdays there are only a handful of people in the store for only 3-4 hours. They walked out of the store and learned that 2/3 of people in their lot are from the farmers' market. They went in and counted 23 customers which is less than their employee count and this was due to no parking. He

hoped for good data collection after the 5 week period which will determine whether or not to continue.

LESLIE WESTPHAL, Environmental Task Force member, said she and hundreds of other families she knows are in support of the farmers' market. She said she shops also at Diablo Foods and people are already going to the farmers' markets in Moraga and Orinda as well as shopping at Diablo Foods. She was not sure the statistics of how much produce they would buy would change, as residents do not want Diablo Foods to close. They have held meetings with Diablo Foods, they were very gracious, were initially opposed to it, but after the two meetings they seemed to realize that this is something the community wants and everyone brainstormed other ways to include them in the process. She agrees people will extend added dollars to surrounding businesses and noted the benefits of a farmers' market as providing local produce and community interaction.

JOAN BRUZZONE said she is pleased to see so many people from the downtown area, said those in favor of the location have never tried to navigate Moraga Road after 2:30 PM, and felt people will feel nothing but frustration and difficulty. She said the plaza area is the most congested area to put a farmers' market, and encouraging those businesses that front the area to lose their parking is unbelievable. She asked if they would be compensated from the loss of parking and felt parking should not be ignored. For those renting in the town and do not have enough parking, the City will charge you $36,900 per spot that it does not have. She felt the City was taking away the livelihood of those that need every penny they have to survive in these times, and felt the center of town was the worst possible place. She said the Moraga farmers' market is located in a dead spot on Sunday and it works beautifully. Stores are closed and parking is available, and the people using the market take care of all of their needs and place none of it on the city. She also encouraged everyone who has a business downtown to also get involved with the downtown specific plan.

KEITH FARLEY, CCCFM, thanked the Council for their consideration and said he wanted to respond to questions brought up.

Vice Mayor Andersson referred to businesses that may lose some of their dedicated parking and he questioned if there were techniques used at other markets that mitigate this. Mr. Farley said they have put up signage at entrances at private parking lots and it is based on an honor basis. In some cases, they have put people there to monitor when situations have become extreme which helps. Regarding two parking lots on Golden Gate Way, he did try and contact the property owner who has not returned calls to date.

Vice Mayor Andersson said the Chamber suggested providing spaces for free to businesses that provide produce already. Mr. Farley said providing free space could open up the flood gate, but they will make every opportunity to ensure local businesses are included in the plan, but CCCFM must meet its expenses and he agreed to work with the Chamber of Commerce.

Councilmember Federighi said a site map has been submitted and she understood from the market's description that it would primarily be produce, honey, flowers, and in looking at the map, she sees 20 agricultural vendors will be on Plaza Way but other areas of the lawn at the Plaza will be non-food and community booths, and at the barricaded way on Golden Gate Way will be non-agricultural food vendors. She asked for a description of other vendors. Mr. Farley said the booths on the lawn are community booths such as the Girl and Boy Scouts and provided to non-profits at no charge. The booths out on Golden Gate Way are for non-certified or non-agricultural producers such as bakeries, flower vendors, etc.

Councilmember Federighi questioned where the 20 vendors would be from, and Mr. Farley said they are from Brentwood and as far away as San Joaquin and Fresno County.

Councilmember Federighi referred to the issue of parking and said Plaza Way will be closed off. There are businesses whose customers use the Plaza Way parking for their businesses, such as Vino's Restaurant, and she questioned if Mr. Farley thought how to secure parking for businesses. Mr. Farley said Vino's has parking available behind the restaurant. He said they did try to speak with him and got as far as saying hello. The other businesses were supportive except for the dry cleaner's business because her customers would have a little walk to get to the door. Regarding securing parking for businesses, he is assuming the existing surrounding parking will work.

Councilmember Federighi said one of the uses of surrounded parking is for vehicle off loading and pick up, and she questioned where those vehicles would be parked. Mr. Farley said they are awaiting a return call from the Methodist Church to use their lot for vendor parking.

Councilmember Anduri asked Mr. Farley to explain economics for the costs to hold the farmers' markets and asked whether CCCFM would cover those costs for barricades. Mr. Farley said he did not understand the costs; at the last meeting he indicated he would take care of barricades if the City would provide them. He assumed that the City already owned the barricades and would not have to rent them. Mayor Tatzin said the City does not own its own barricades. Mr. Farley said Bay Area Barricades sells the type III barricades at $300 each and those would more than pay for themselves after a few uses.

Councilmember Anduri said all costs added up to about $1200 per event, and Mr. Farley said there is no way they could absorb that cost. Councilmember Anduri questioned how then would it be handled. Mr. Farley said either the City could sponsor it in kind or they would have to find a sponsorship for it. He said they would not make a lot of money at the market and they will only be able to cover expenses for the 5-week period. There is also the issue of port-a-potty rental which is $100 per stall for an ADA, plus a hand-washing station which is a health department requirement. He confirmed with Mayor Tatzin they were planning to provide this.

Councilmember Federighi said Ms. Bruzzone said earlier that the Moraga Farmers' Market works because it is located at the shopping center on a Sunday whereas between 4PM and 8PM, this is not an off-period for the Park Plaza area. Mr. Farley agreed. She understands the appeal on one hand of potential synergy and having everybody downtown but she said CCCFM rejected Acalanes High School as a possible location and she asked was this due to them having events each weeknight. Mr. Farley said not consistently, but enough to create a disruption in the flow of the operation, and the lot fills up on Friday nights.

Councilmember Federighi questioned if a Sunday morning would work at Acalanes. Mr. Farley said initially when they met with Ms. Thomas they were looking at a Saturday market. He steered them away from a Saturday market because this end of the county is saturated with them; Danville, Orinda, and Pleasant Hill. Councilmember Federighi said the other markets pull away Lafayette customers and if one was held here, residents would more likely attend. Mr. Farley said they actually need to pull people in away from other areas to come into Lafayette.

Councilmember Anderson questioned if any other sites were considered. Mr. Farley said they considered the Hungry Hunter lot but it is sort of underground and surrounded by a berm and not visible from the road. It is private property and a closed retail location that could go away at any

time. Butler Conte site is a little more appealing, but private property and away from downtown. They are trying to bring people into downtown Lafayette.

Councilmember Anderson said he understands the concept but is concerned about the impact on circulation, parking and businesses and it seems we need to find a place that is not as congested. Mr. Farley said the only other site was the vacant lot by the Veterans Hall, but it had to be rejected because it is not paved.

Councilmember Anderson said it could be put on private property if the owner was interested, but he confirmed Mr. Farley has not received feedback from anyone interested and confirmed with Mayor Tatzin that he has not contacted any private property owners.

Councilmember Anduri referred to the idea of how widely the City must draw people in for this to work. His understanding is the reason why Saturday is not being looked at. Mr. Farley said it is saturated and the farmers must make enough money to make it worth their while; to pay for gas, employees and costs to come the distances they must come. He clarified that the closest Thursday market is Concord. Mr. Farley said it is his belief that people from outside communities will come into downtown Lafayette on a Thursday or Friday between 4-8PM; a mid-week market provides produce for a weekend event. The weekend market provides it for the weekdays.

Councilmember Anduri questioned if Mr. Farley was working with anyone doing the weekday evening markets. Mr. Farley said they do not operate a weekday market and this would be the first. They operated one in Walnut Creek some years ago, but it did not catch on because it was a restaurant night and people were just interested in a single peach or strawberry.

Councilmember Federighi said Thursday night is a restaurant night in Lafayette, but Mr. Farley said it does not have the concentration of restaurants that Walnut Creek did.

Councilmember Anduri questioned and confirmed that Mr. Farley was aware that a city sponsors a farmers' market, but they try to work independently of cities.

BETH FERREE echoed other speaker comments, said she learned Webster's Dictionary added a new word; "vocavour" and she saluted Lafayette's efforts in environmental areas, agreed that the matter is complicated, and added that she works downtown, drives through the intersection and loves when there are events in the plaza, and believes that a farmers market does bring people together and would love to rather patron a Lafayette market. She believed it will increase business, and said Corporate Terrace is empty by 5PM and is private property.

DAVID BRUZZONE said no other business would ever be considered at the Plaza Park in that location, said this is a big business that will compete and offer the same products that current businesses already offer in Lafayette. Such businesses have invested in the community and are here 24/7, they pay property taxes, sales taxes, and pay towards getting things done in town. He supports Lafayette First, does not see how bringing in an outside business with outside vendors and employees is contributing to Lafayette First. Generally, he is in alignment with Jay Lifson but thinks the Chamber made a huge mistake in supporting this. He read the survey but no place did it mention the location of the market. He said it is at the major intersection in town, it will impact it from 2:30 PM until after 9:00 PM and there are significant issues that have not yet been discussed or studied, and would take many meetings. He asked the Council not to think parking is insignificant, as there is none extra available. The vendors will take up at least 30-35 stalls with large trucks and vans, the non-profits will take even more and this is before anyone comes to the market. He did not therefore believe that the significant, detrimental impacts of the market have

been discussed and questions raised have not been answered. He also noted that the pilot program said once it gets approved, it does not get moved.

LEONARD HOLMES said he believes in Lafayette First, is a new convert to sustainability, proud owner and builder of a hen house and hoped to have local eggs to vend at the market. He finds the dialogue fascinating, respects both sides of the issue and does not take a position. He said costs have been discussed but he questioned the potential financial benefits to the City could or would be. He has heard the financial benefit to the farmers' market will be small, so he questioned the motivation in moving forward. He questioned the definition of "locally grown", questioned the mileage radius for locally grown and what percentage of products sold will fit that definition. He said 61% of 131 respondents in the City of Lafayette say they shop at 5 farmers' markets and this does not sound like a large groundswell of people. He therefore questioned whether it was a reliable number or statistic. He agreed that people who shop at farmers' markets have alternatives. Parking has been discussed and the statement was made that people have to do the right thing. His observation at other locales is that people do not always do the right thing and he would bet people will take spaces away from Safeway and other local businesses. He asked what compensation is made available to those local businesses for parking spaces they will lose during this period. If none, he asked if the City will benefit from towing fees incurred when cars are towed from business parking spaces. He felt the project is development of a business and many projects require EIR's, and he asked when one could be developed on the impacted properties on this project, and he implored the Council not to move forward on the project until parking for the vendor vehicles is absolutely resolved.

SUSAN DAUNFAUFEISER thinks what is getting lost in this is the real reason that the local foods group wanted a community market-to bring the community together; a place where healthy foods could be purchased and that was not necessarily associated with a school or church. She said there is so much emphasis and so many requests from younger families to have a farmers' market and she wanted to do one with this group because they put the community first. It is not about a profit but more of a sense to come together and bring the community together. They wanted it to coincide with First Thursdays at the Library so people stayed in Lafayette, and any time there was a problem it was addressed. She said CCFM is great to work with, she attended all meetings, the local florist was so excited about being rotated in so they could meet new customers, and they asked Diablo Foods and Open Sesame as to how they would like to participate to promote local business. They emphasized a market where people would walk to it. She acknowledges it is a pilot program and the idea was to have it located in the center of the community. She said they researched many places and everyone kept coming back to having it centrally located downtown.

Councilmember Anduri said the Council has also heard speculation about the impact it would have on merchants and restaurants in the area. He said if the farmers' market is 4PM to 8PM, he asked if it is anticipated people will shop, take their bags of vegetables and go into a restaurant and eat, put them in the car, etc. He questioned the logistics of having a spillover effect for the community.

Ms. Daunfaufeiser said people will be hungry after they shop and there will not be much to buy at the farmers' market ready to eat. Other farmers' markets have cards for discounts and incentives for restaurants and businesses to encourage people to eat, entertain and come together and this is what they envision for Lafayette and not leave on Thursday nights. She said many people have been pushing the idea for a long time. Danville denied having one for a long time, and they finally have one which now is all about profit and not the community, and it has hurt other businesses.

This idea works with businesses, it does not compete, and businesses make money because the market brings people in.

MOIRA said she lives in Pleasant Hill, has been a FedEx courier for Lafayette since 1984 and she will be the market manager if the concept is approved. She is listening to everyone's concerns; she has experience in being a market manager for Martinez, where businesses were upset along Main Street. As a manager, she facilitates every business owner in what they need for parking, she wants to bring vendors away from front business doors and so people can get in and out. She hears the city wanting a community market, feels the organization chosen is the right one, and people are thinking about where they get their food from and in the East Bay it is important to eat local foods. Regarding Diablo Foods and other businesses who are concerned, she will be happy to work with any shops to get them integrated into the market so that all businesses are represented. She was not sure about the circulation but she was going to divert people to Corporate Terrace because it is an empty lot, and said she will facilitate and hear everyone's concerns.

Councilmember Anduri said there are many issues, but he would like to find a way to make this work and acknowledged Moira's attitude and commitment to making it work. Often times the Council hears concerns when something is viewed as being different, but after trying it people do try and make things work and it ends up to be positive. He felt what needed to be resolved was economics. If each event costs $1200, he did not believe the city could pay for it; however, there may be other less expensive ways to achieve street and crowd control. Regarding parking, given the potential gain from the community getting together, it is worth trying it and seeing what happens. Concerns were raised about who this economically benefits. What CCCFM indicated is that they are a non-profit and are not looking for a gain, and the farmers and other participants need to make it work economically for them. He felt the City is looking to encourage the sense of community, the City is looking at the event benefiting the merchants, believes the market should be given a shot, and supported moving forward.

Vice Mayor Andersson agrees but has some skepticism as to whether this is the correct location, however, it most likely is appropriate. If the Council moves forward, a caveat should be identified that arrangements be made for the vendor vehicles and parking. He was surprised at how many people go outside Lafayette to farmers' markets, but pleased to see favorable results of the Chamber survey for having a market in town. He supported moving forward with a pilot program, keeping in mind more analysis needs to be done, and if the site is not correct, something else will need to be found.

Councilmember Federighi said she would like to see a farmers' market in town but she thinks it is too early to approve the proposal. She said there is no parking plan, the cost of $1200 per event is not reasonable or justifiable, she is concerned about the impacted traffic area during the event times; however, she acknowledged the City has had other events at the Plaza, and she would like to see thought given to another location. She did not think it necessarily had to be tied into the busiest intersection in town to be a success, but if other issues could be taken care of, she would be willing to test it. She questioned the local vendor business as many do not sound as if they are truly local. She also questioned why such a large space was dedicated to non-profit groups if this is primarily a farmers market. In summary, her hesitancy in not supporting it tonight is that there is no parking plan in place and no commitment that the organization is going to pick up the costs.

Councilmember Anderson agreed with Councilmember Federighi. He cannot support the market at the current location. The issues are multiple; parking is his number one issue. There are public events at the park, and through good graces of businesses, they let people park in their lots, but

this is a business and to give it a proper assessment of impact for circulation, traffic, and safety, the City should further review this. The location to him is the biggest problem. If this was at the Hungry Hunter site, he thinks people would go there. If advertised they would find it. There is parking there, no direct competition besides the hotel, and he wanted to see further investigation of other sites. He also was concerned with how the matter is coming to the Council. It is not quite a firm proposal but rather an amalgamation of people's ideas with a potential vendor stepping up to answer questions. There are promises being made by individuals; he questioned whether they would actually be carried out and asked for a more cohesive proposal.

Mayor Tatzin thinks that potentially a farmers' market in Lafayette is a good use. It is clear that a number of residents go to markets in other communities, so there is leakage. He said there are many areas in Lafayette where there is leakage, and if someone proposed one of those businesses in town, the Council would follow a set of procedures to determine whether they could get a business license, if they generated a lot of traffic we would ask them to have a traffic study, and determine whether they provide adequate parking. In this case, we are being suggested to look the other way and things will just work out, so he was not sure why the Council should do this in this case when the Council would not do it in other cases even though those might fill a leakage of a type of business the City doesn't have. Also, the City is being given Thursday night because that's what's left after considering all of the other communities and they have organized to have theirs at a time when there is less community impact, and this is not a good reason to have it on Thursday night per se. The Council has talked to other people with regular uses for the plaza early in the mornings and has not approved those and he believes this was the right decision. And, he does not see conceptually what the difference is here that would make it appropriate. He felt there are a number of unanswered questions that in a normal business review would be done—parking, circulation patterns, etc. and essentially, the City is trying to substitute a pilot program on how those things will be answered. Also, if a business came to the Council and said they would like us to close a street and we want the City to be a major sponsor of this, the Council would most likely not agree. So, he does not think the cost has to be $1200 because there are many options for them to provide labor instead of cost. If the matter were to move forward, he would not see the City sponsoring this financially because it is not done for existing businesses.

Therefore, Mayor Tatzin said he is tempted to try it, but as a pilot it would still need more definition, particularly around the issue of vendor parking and ensuring users of private businesses continue to have access. He understands the honor system, but this is another way of saying it's not my problem. What we should be seeing is identifying what will be done to protect private parking spaces.

Councilmember Anduri said he did not hear anyone saying the City should pay for it, and what he is hearing are issues that can be worked out. He thinks the matter is a different "animal" and not to be evaluated as a business but an activity that will be of benefit to large segments of the community and families. He thinks there is wide support and we should focus on how to make it work for residents and businesses in the area. Regarding what we should ask for is have the matter return in a more definite proposal, that there be no out of pocket cost, that it be regarded as a pilot program, that there be a parking plan for vendor vehicles and protecting private spaces in the area, and if this is obtained, he felt the Council could move forward.

Mayor Tatzin said the proposed first date is August 2nd and the next meeting is July 27th. Mr. Farley said the first market is proposed to be August 21st.

Councilmember Anderson agreed, but said there should be serious consideration to alternative sites. A parking plan is needed, cost seems not to be an issue, and he felt contact should be

made to the Hungry Hunter owner. He felt people will go even if it is not located in the busiest part of town, and he strongly suggested other sites be investigated. Councilmember Federighi agreed that an analysis be done for another location.

Mayor Tatzin also suggested that many people have indicated holding the pilot to study the effects. He asked the proponent to come back with how they will analyze the effect, identify impacts, identify what people are buying, where customers are coming from and other things discussed. Councilmember Federighi suggested the Chamber follow up with businesses after the pilot program, as well.

Councilmember Federighi asked if Mr. Farley is willing to work within the parameters stated, and he agreed.

ACTION: It was M/S/C (Anduri/Andersson) to continue to July 27, 2009. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None)

B. Mayor Don Tatzin
Update on the State Budget Crisis and the Effect on the City Budget
Recommendation: Discuss and direct staff.

Mayor Tatzin said he agendized the item to discuss the State budget crisis during the time the State was and is now issuing IOU's. It appears that Lafayette's funds are not covered by IOU's and the City also received the last payment regarding the Library, except for the project payment. He suggested postponing the update until after there is a State budget and include the other Finance Subcommittee recommendations in the update.

City Manager Falk reported emailing the City Council regarding property taxes, which he learned will be going up more significantly than forecasted, which he said is exceptionally good news, as there are other cities seeing decreases of 15% to 25%. There is rumor that the reason Lafayette did well is that the Assessor has a limited time staff and next year, they will spend more time in Central County reassessing. However, he noted there is no data to back this up. He also noted that sales taxes are down 3% in the first quarter and not 7% as predicted by staff.

8. STAFF REPORTS – None

9. PUBLIC HEARING - None

10. CONSENT CALENDAR

Councilmember Federighi requested removal of Item 10A.; June 22, 2009 minutes.

ACTION: It was M/S/C (Andersson/Anduri) to convene as the Redevelopment Agency and approve Consent Calendar items B, C, D, E, F, G and H. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None). .

B. Award of Contract for the 2009 Surface Seal Project on Stanley Boulevard, Camino Diablo and Moraga Road - Project Number 014-9673
Recommendation: Adopt the project plans, specifications, and project details to conform to the Uniform Construction Accounting Act and award Project Number 0 14-9673 to Graham Construction in the amount of $326,500.10.

C. **Resolution 2009-40 Finding No Nonprofit Corporations or Associations Readily Available to Meet the Transportation Needs of Elderly Persons**
Recommendation: Adopt Resolution 2009-40.

D. **2009 Pavement Rehabilitation Project No. 014-9677 - Pavement Overlay Deerhill Road from First Street to Pleasant Hill Road and St Mary's Road from Buckeye Fields to Florence Drive by adopting Resolution 2009-41 Authorizing the City Manager to Execute Program Supplement No N020 to Administering Agency-State Agreement for Federal-Aid Project No 04-5404(018)**
Recommendation: Adopt Resolution 2009-41.

E. **Encroachment Agreement for property located at 3147 Indian Way between Beverly B. Huey and the City of Lafayette - APN 237-043-002**
Recommendation: Approve encroachment agreement between Beverly B. Huey and the City of Lafayette for property located at 3147 Indian Way.

F. **Letter Responding to Grand Jury Report No. 0909 City Travel Practices and Reimbursement**
Recommendation: Authorize the mayor to sign and send letter responding to Grand Jury Report No. 0909.

G. **Resolution 2009-42 Establishing City Manager Compensation**
Recommendation: Adopt Resolution 2009-42.

Convene Jointly with Redevelopment Agency

H. **Settlement Agreement dated July 13, 2009 between the Lafayette Redevelopment Agency, the City of Lafayette and Killefer Flammang Architects, Inc.**
Recommendation: Authorize the mayor to sign the Settlement Agreement between the Lafayette Redevelopment Agency, the City of Lafayette and Killefer Flammang Architects, Inc.

I. **2008-09 Budget included funding for two new signs at the Lafayette Community Center. Installation of the signs was delayed.**
Recommendation: Budget $15,675 in the 2009-10 Budget for installation of the two new signs at the Lafayette Community Center.

Adjourn Redevelopment Agency

ACTION: It was M/S/C (Federighi/Anderson) to adjourn the Redevelopment Agency. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

Item Removed from Consent Calendar:

A. **City Council Minutes**
June 22, 2009
Recommendation: Approve.

Councilmember Federighi referred to page 20 and the action regarding the food and drink policy at the library. She asked that in addition to restricting food from the technology center, the Council

also agreed there would be closed beverages and restriction of foods that are not odiferous and greasy.

ACTION: It was M/S/C (Anderson/Andersson) to approve the minutes of June 22, 2009, as amended. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

11. COUNCIL/COMMISSION REPORTS

A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

Mayor Tatzin said having heard the discussion by the Senior Services Commission on the survey, he asked if the Council was comfortable putting discussion of the use of the old library on the agenda. Councilmember Federighi questioned the status of the clear title issue.

Mr. Falk said a letter has been sent requesting a clear title by September 1st. City Attorney Subramanian noted that the County Counsel is working with the title company and the issue is not related to the property in question, and they have agreed to respond back. Mr. Falk recommended the Council postpone discussion until the matter is resolved.

Mayor Tatzin requested an update on priorities be scheduled for the first meeting in August, as he was not going to be present at the next meeting.

Councilmember Federighi requested the following agenda item for the next meeting: A proposal to discuss having staff to identify potential sites within our enlarged Area A, and to send letters to property owners to determine an initial level of interest in selling. Mr. Falk noted that staff's recommendation is to wait until the Downtown Strategic Plan is adopted; however, Mayor Tatzin said regardless of what happens with the Downtown plan, it will remain as a focus area, and the Council supported agendizing the item.

Councilmember requested an update of Buckeye Fields, stating the Council received a letter regarding illegal parking and problems during baseball games. She questioned whether Little League was supposed to have a shuttle system, but was not sure if this was actually a condition or requirement.

Mr. Falk said parking is tight and it will remain tight at Buckeye Fields. Little League does their best to stagger game times and often it works. However, there are times where there is not enough parking toward the end of the season when multiple family members attend tournaments and play off games, which pushes parking capacity to an extreme. Little League provided shuttles for the grand opening; however, they found that people do not use them, park illegally, and police and parking enforcement is called to write tickets on a complaint basis. He noted that baseball season is over and confirmed with the Council that it can be addressed prior to the next season.

Councilmember Anduri questioned when the Council will discuss the Downtown Strategic Plan and Ms. Merideth noted her goal is to release it the first part of August and would provide a detailed schedule.

12. WRITTEN COMMUNICATIONS

A. Request from Marie McKechnie to accept the healthy eating guidelines promoted by the Wellness City Challenge by adopting a proclamation.
Recommendation: Discuss and direct staff.

Mayor Tatzin said he had spoken with some proponents and expressed to them that the proclamation was difficult to understand. After reading it more carefully and speaking to Ms. Gersham, he said it encourages the City to encourage citizens to read ingredients of what they eat and take certain actions. It does not suggest or require any businesses to do anything differently or enacting new regulations, and he therefore supported the proclamation.

Public Comments:

PAULA SZLOBADA, Professor JFK University and Boardmember of Wellness City Challenge, said by offering the City's support, it will be making history, as this will be the very first county to unite all 19 cities in a community health program that supports healthy eating guidelines.

MARIE MCKECHNIE, volunteer, thinks it is a wonderful way for the City to join other cities and the Board of Supervisors and said guidelines can help in schools and with citizens and she thanked the Council for their support.

Councilmember Anduri referred to proclamation wording and questioned if the City would be tasked to create a viable Wellness Action Plan for Lafayette. In terms of its goals, he supports it but he was not sure what it means for the City and what it will do and requested removal of the last Whereas clause.

ACTION: It was M/S/C (Federighi/Anderson) to accept the healthy eating guidelines promoted by the Wellness City Challenge by adopting a proclamation, as amended by removing the first and last Whereas clause. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None).

B. **Letter dated June 30, 2009 from Patti Link Cawood, Fundraising Manager, STAND! Against Domestic Violence, requesting a proclamation recognizing October as Domestic Violence Awareness Month.**
   Recommendation: Discuss and direct staff.

ACTION: It was M/S/C (Federighi/Anduri) to approve a proclamation recognizing October as Domestic Violence Awareness Month. Vote: 5-0-0 (Ayes: Tatzin, Andersson, Anduri, Federighi, Anderson; Noes: None; Absent: None)

13. ADJOURNMENT

The City Council adjourned the meeting at 10:20 p.m. to the next Regular City Council meeting on July 27, 2009.

APPROVED:

_____
Don Tatzin, Mayor

ATTEST:

_____
Joanne Robbins, City Clerk